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January 31, 2006

VIA ECF FILING AND REGULAR MAIL

Honorable Justice Denis R. Hurley
United States District Court Judge
U.S. District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722-4438

Re: 03 CIV 6003 (DRH) (JO)
Mindlin v. Burger King

Your Honor:

Pursuant to your rules, we respectfully request leave to file a second Motion for Attorneys' Fees payable to Plaintiffs attorneys by the Defendants, for all fee applications currently pending before this court. By order dated January 5, 2006, this court issued a ninety day stay of all proceedings except these fee applications.

Because (1) the underlying claims are settled in principle except as to these fee applications, (2) the attorneys have negotiated the fees at length without success, (3) the fee applications are within the sound discretion of the court and (4) a fee application is already submitted, we respectfully request the court not dispense with its customary pre-motion conference.

Thank you for the Court's consideration.

Respectfully yours,
MURRAY AND HOPKINS
By: MARK A. MURRAY

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